

**Licensing Sub-Committee – 20 October 2009****Residents' Representation Contents Page**

| <b>REG BAILEY BUILDINGS, KINGSTON UNIVERSITY,<br/>PENRHYN ROAD, KT1 2EF</b> |             |
|---|-------------|
| <b>NAME</b>   | <b>PAGE</b> |
| Riverside Residents' Association  | B4          |
| Mr and Mrs Catlin   | B6          |
| P Harris  | B8          |
| Mr Holden & Miss Perry  | B9          |
| Mr A Perrin   | B10         |
| Mr A Scott  | B17         |

# RIVERSIDE RESIDENTS' ASSOCIATION

12 Milner Rd, Kingston upon Thames, KT1 2AU

Mr Peter Groves  
Principal Licensing Officer  
RBK, Guildhall  
Kingston upon Thames  
KT1

28 SEP 2009

By hand

Monday, 28 September 2009

Dear Mr Groves,

Further to our telephone conversation last Thursday, I write to object to the current application of Kingston University for an entertainment licence to hold theatrical performances and live music at the Reg Bailey Building. This building is located on Penrhyn Road but the rear of the building butts up to properties on Woodbines Avenue. This is a residential road, save for the dental surgery at the junction with Portsmouth Road. This surgery does not affect the flavour of the area being residential as it does not cause any significant change in the traffic, nor cause any noise that interferes with the quiet enjoyment by residents of their properties and gardens.

The Reg Bailey building is used for classes conducted by Kingston University. It is not purpose built for the performance of live music, nor is it purpose built to hold large amounts of people who come to view these performances. I understand from my conversation with you last week that, if granted, an entertainment licence cannot be tailored. Therefore, residents object to the use of this building for performance on 2 grounds.

Firstly, the type of performance cannot be limited to those activities that will not involve live or recorded music. Music can carry over greater distances than the spoken word. The building has no soundproofing to cope with amplified music or sound that will naturally come with using the venue for performance. Therefore, in many circumstances, it will be impossible to prevent sound escaping through the fabric of the building and disturbing the neighbourhood. At present, Woodbines Avenue suffers terribly from noise nuisance during parties and events at the main Penrhyn Road campus, some distance away across the main road. The University are not always considerate neighbours. When in the grip of noise nuisance inflicted by a poorly judged event, neighbours have no option but to wait until the event is over. Environmental Health does nothing to assist immediately and the Police no longer handle this type of incident. Kingston University supply the telephone number of Mr Mark Horne, the licensee, but in the small hours of the morning, calls are answered by a machine. There is no way to make the event organiser aware immediately of the disruption and unwanted, albeit foreseeable, effect of their actions. This is manifestly unfair to residents.

The second objection is to allowing performances seven days a week all through the day until 11pm. This allows no days for respite for residents and is grossly inconsiderate. At present, the University may envisage only performances by their own students. However, the entertainment licence as applied for will allow the University to expand their programming at the site to each day of the week. In theory, there could be live music wafting out of open windows or vibrating through the buildings every day within weeks of granting the licence. It does not take a great leap of the imagination to realise that the University may wish to make money from it's students by holding ticketed events in the building to increase revenue. It would be an unfair change of use and cause a huge disruption to residents. This is a very different use to that envisaged by RBK's planning department when the University occupied the building. The University would be better advised to use the wonderful performance space offered by the Rose Theatre – which is designed to cope with the noise, the crowd and located in a part of town that is not residential.

For the above reasons, residents would be grateful if the Licensing Committee would grant a license allowing performances in a limited slot in the week, perhaps at weekends only. This way, residents will not be disturbed during the working week. If there comes a time when the University needs to increase the number of performances, they can do this with consultation. There is little cost or inconvenience to the University to taking this more measured approach but it will afford the community the protection from nuisance designed by the legislation.

Yours sincerely,

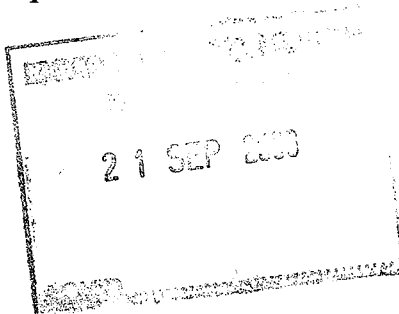


Miss Shanthini Shanmugaguru  
Chairman

*Peter Groves  
Principal Licensing Officer  
Environmental Health and Trading Standards  
Royal Borough of Kingston upon Thames  
Guildhall  
High Street  
Kingston upon Thames  
Surrey KT1 1EU*

*13 Woodbines Avenue  
Kingston upon Thames  
Surrey KT1 2AZ*

*17<sup>th</sup> September 2009*



*Your Ref: EH - LIC*

*Dear Mr Groves,*

**Re: Application for Premises License for Regulated Entertainment -  
Reg Bailey Building, Kingston University, Penrhyn Road, Kingston Upon Thames**

We understand that Kingston University has recently applied for a license for regulated entertainment in the Reg Bailey Building in Penrhyn Road which backs on to the gardens on the north side of Woodbines Avenue.

As we understand the position this property was intended for use as lecture rooms and is the where the Drama department is based. Generally this building is silent and does not intrude into the local amenity of the quiet residential area which adjoins.

However, from time to time, the silence is broken by loud live music which is not controlled by the University and compromises the quiet enjoyment of our home.

Following their attempt a couple of years ago to develop County Hall and its Social Club, the University had undertaken to keep local residents regularly advised of new plans and developments which affect the neighbourhood. They had not advised us of this application and are clearly trying to push it in under the radar, having failed with a previous application for such a license in the late 1990's due to local opposition.

The nature of the application includes a wide range of activities, some specified and some not, which have the potential to detrimentally affect the local amenity through noise up until 11 pm at night, 7 days a week. The nature of this License application is wholly inappropriate in a residential area, both in terms of the potential for intrusive noise, and at very anti-social hours, late at night and throughout weekend hours.

These activities, particularly the playing of live and recorded music, happen already to our detriment without a license, and are not controlled by the University or Environmental Health. If this license is granted, these anti-social activities would no longer be policed by Environmental Health and Trading Standards, as they should be at the moment, because they would then be permitted.

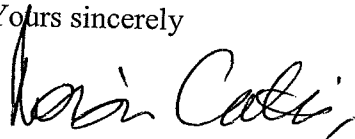
We assume that the main campus on the other side of Penrhyn Road already has a Premises License for Regulated Entertainment as there are regular events there. This is where these activities should remain.

We do not believe that this is a licensing matter as it will change the nature of this building for the future, and is actually a proposed change of use in another name and should be dealt with as a planning application, which we would oppose.

We are vehemently opposed to any change of use or the proposed License, and we ask you to refuse it to protect the local residents who already suffer too many intrusions from the University's activities.

Please acknowledge receipt of this letter and keep us fully informed during the application process.

Yours sincerely

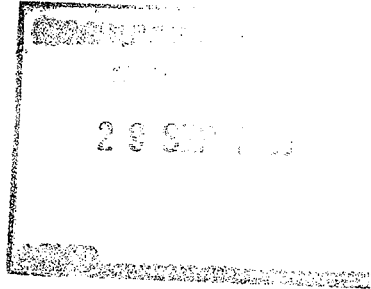
A handwritten signature in black ink, appearing to read "Robin Catlin". The signature is written in a cursive, flowing style.

Robin & Christine Catlin

3, Woodbines Avenue  
Kingston-upon-Thames  
Surrey KT1 2AZ

28 September 2009

Mr. Peter Groves,  
Community Services  
Guildhall  
Kingston upon Thames  
Surrey KT1 1EU



Dear Sir,

**Application for a premise licence : Reg Bailey Building,  
Kingston University, Penrhyn Road, Kingston KT1 2EF**

I have been given sight of the response made to you by my neighbour Mr A J Perrin of 1, Woodbines Avenue detailing objections to the above Application. I have little to add beyond saying I support the stated objections entirely and emphasize those made by the Riverside Residents' Association previously.

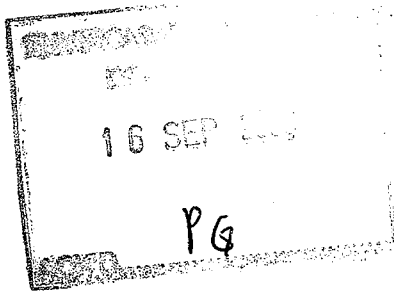
Woodbines Avenue, as I am sure you are aware, has very little parking space apart from controlled bays and these are usually occupied. Our visitors can often only park after 6.30 p.m. at the end of the controlled time. The Avenue's proximity to the Reg Bailey Building will, inevitably, put pressure on what little parking availability there is causing even more inconvenience to the residents.

To repeat myself I strongly object to the application.

Yours faithfully

Handwritten signature of P.C.G. Harris in cursive script.

P.C.G. Harris



Mr Peter Groves  
Licensing Section  
Environmental Health Department  
Royal Borough of Kingston  
Guildhall Kingston Upon Thames  
Surrey  
KT1 1EU

Mr Gareth Holden and Miss Natasha Perry  
2 Woodbines Avenue  
Kingston Upon Thames  
Surrey  
KT1 2AY

Monday 14<sup>th</sup> September 2009

Dear Mr Groves,

**Re: Application for a premise licence: Reg Bailey Building, Kingston University, Penrhyn Road, Kingston, KT1 2EF**

We wish to make a representation to the above licensing application on the grounds of minimising crime and disorder in the area and reducing the associated nuisance to public living near to the Reg Bailey building.

We are concerned that granting such a licence will generate increased footfall in a largely residential area potentially leading to increased noise pollution, vandalism and littering. We already suffer from significant littering in our front garden from the University Campus on Penrhyn Road and the bus stop directly adjacent to our house. Our garden is literally a rubbish dump for empty cans, fast food containers, papers and sometimes contraceptives. Granting of this licence will only serve to increase such anti-social activity in the local vicinity.

We would be pleased to discuss this representation in person if required.

Yours faithfully,

Gareth Holden

Natasha Perry

1 Woodbines Avenue  
Kingston-upon-Thames  
Surrey KT1 2AZ  
4.09.09.

Dear Sirs

Application for a Premise Licence; Reg  
Bailey Building, Kingston University, Penrhyn  
Road, Kingston KT1 2EB.

---

I thank you for your letter dated 1st September  
My house is very close indeed to the Reg Bailey  
Building - that building is no more than 4 inches from  
my property.

I wish to register my objection to the  
University's application on the grounds of "Public Nuisance".

An application on similar (in fact less  
intrusive) terms was put before yourselves some years  
ago.

The reasons for the objections made at that  
time by a number of local residents personally and  
by the Riverside Residents Association remain equally  
valid now as they were then. I am enclosing copies  
of my own letter and that sent by the Residents  
Association both of which are self explanatory. In  
response to these objections the University withdrew  
its former application.



I may say in the intervening period there have been a number of occasions (which I have recorded) when there has been a breach of regulations by the University. I refer to the production of music at a sufficiently loud level to make the use by me of my patio and garden very unpleasant. Peace and quiet are important. On each occasion I have approached the University and the organiser has acknowledged that my observations were reasonable. They all apologised and said it won't happen again. I have always sought to contact someone I had spoken to before but this was never possible as they had either moved on or a different section of the University was involved.

Frankly I do not believe any of these events was sanctioned by the senior authorities within the University but rather in ignorance by some more junior member of staff.

I emphasise in the intervening years nothing has changed and all former reasons for objecting remain valid.

The University has often expressed its desire to live in harmony (forgive the pun) with local residents and I believe them. In all the circumstances I consider they would be right once again to withdraw their application. If not we must rely on you to acknowledge local concerns and protect

out interests by rejecting the proposal.

Yours sincerely,

Daw.

A. J. PERRIN

P.S. Would you kindly acknowledge receipt of this letter. With thanks.

CHAIRMAN:  
Geoffrey Chase  
60 The Bittoms  
Kingston upon Thames  
KT1 2AP

SECRETARY:  
Miss W Elliott  
5 Bittoms Court  
The Bittoms  
Kingston upon Thames KT1 2AS

18 September 1992

TO:  
THE BOROUGH ENVIRONMENTAL HEALTH OFFICER  
GUILDHALL  
KINGSTON UPON THAMES  
SURREY  
KT1 1EU

Dear Sir

KINGSTON UNIVERSITY - PENRHYN ROAD ANNEXE  
APPLICATION FOR MUSIC/PLAY LICENCE(S)

With reference to the notice dated 26 August 1992, the Riverside Residents Association, acting on behalf of their members, oppose the granting of the licence(s) for music/plays at the University's Penrhyn Road Annexe in the former Christian Science Church premises.

Members of the Christian Science Church consulted the RRA Committee about their proposal to transfer the existing church building to the then Polytechnic for use as a lecture/meeting/examination hall, and to build a new smaller church on part of their existing site.

The RRA welcomed this as a means of preserving an attractive old building and acquiring a new, very pleasing smaller church, and indeed wrote to the Royal Borough Planning Officer supporting the scheme when there was a delay in planning permission being granted.

It is the RRA's understanding that the Christian Science Church made it a condition of the transfer that there should be no music/late-night noise from the former church building on Wednesdays or Sundays, when they hold services, and that the Polytechnic (now University) agreed to this. If the University accepted that there could be "nuisance" to disturb the Church Services, it can surely be argued that the University should accept that there could be "nuisance" to local residents, at least two of whom are even closer to the hall than the new church.

Currently local residents are complaining of late-night noise/music from the Student Union building and the hall in the main building of the University, and if there is a significant disturbance from these two buildings across a wide main road and at some distance from homes, it can certainly be anticipated that there would be considerable nuisance to local residents from a hall which adjoins their houses.

Indeed at least one resident has already complained of considerable disturbance from unauthorised music in the University Annexed .

contd.

With all the very many and varied premises used by the University throughout the Borough, surely there are other more suitable buildings which could be used for music/plays.

The Riverside Residents Association therefore oppose the granting of the licence(s) for music and plays for the Penrhyn Road Annex.

Yours faithfully

Chairman

Secretary

Environmental Health Officer  
Council of Kingston-upon-Thames  
11th Ave  
Kingston-upon-Thames  
Surrey KT1 1EU

1. Woodbines Avenue  
Kingston-upon-Thames  
Surrey KT1 2AZ.

18.9.92

eat Ltd.

Kingston University  
Penrhyn Road Annex  
Change of Use.

You will see from my address that my house and garden are within a few yards of the University premises. I understand a proposal has been made by them for an amendment of the permitted use of the building to include Musical Entertainment and Plays and I want to let you know that I wish you to reject the request.

There were a number of occasions this summer when noise from such use - unauthorised by you at the time - became quite intolerable and I was obliged ~~and~~ ultimately to visit the premises and ~~complain~~ <sup>complain</sup>. There is no way that I wish to be subjected to such discomfort and intrusion again. If you were to accede to the application I would

be unable to prevent a recurrence.

I must say that when the former church was taken over by the University I was given to understand that the building would be used for purposes that would have little or no effect on my lifestyle and whilst I was disappointed to see the pleasant garden on the corner of Woodkiss Avenue and Penrhyn Road disappear I felt at the time that I should accept the position as presented.

The latest proposed change is an entirely different matter and I urge you in the strongest possible terms to reject the proposal now before you.

I need peace and quiet at home. Please do not take this away.

Kindly acknowledge this letter. Str<sup>2</sup> enclosed.

Yours truly.

Demi,  
A. J. Pellon.

8 Woodbines Avenue  
Kingston Upon Thames  
KT1 2AY



24 September 2009

Email and hard copy

Dear Sir/.Madam

With reference to the Reg Bailey Building Premises License Application 005616, I would like to confirm my representations against this.

As we live within the residential vicinity of the Reg Bailey building, we are concerned about the increased risk of increased noise levels and anti-social behaviour. As a resident of Woodbines Avenue for the last 8 years we have suffered from such issues each September during Freshers' week. Only last night we witnessed students urinating in the street. The Freshers' Ball continues to breach their obligations with music continuing beyond the agreed time limit. To grant this license raises the possibility of year-round disturbances.

We understand that similar applications have been made before and were opposed by local residents. From the information made available we see no difference between this and previous application and therefore oppose this application.

Yours faithfully

Mr A L Scott